

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

September 25, 2013

The meeting was called to order at 4:05 p.m. by Chairman Phil Conder at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, Joe Garcia, and Barbara Thomas

ABSENT

Harold Woodruff and Imaan Bilic

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik and Nichole Camac

AUDIENCE

Approximately three (3) people were in the audience

ZONE TEXT CHANGE APPLICATION

ZT-5-2013

West Valley City

Adding Part 6 – Highbury Residential Overlay Zone to Chapter 7-22 of the Zoning Ordinance

City staff is proposing an amendment to the zoning ordinance to add Part 6 – Highbury Residential Overlay Zone to Chapter 7-22. A copy of the proposed ordinance is attached to this report. As stated in the proposed ordinance, the purpose of the ordinance is as follows: “The Highbury Residential Overlay Zone is intended to promote an upscale single family residential neighborhood within the larger Highbury development. Housing within Highbury already includes apartments, townhomes and single family homes. The goal of this overlay zone is to encourage a high quality, planned community of single family detached homes with substantial landscaping and open space that is complimentary to yet unique from other housing within Highbury.”

Highbury already has apartments, townhomes and single family homes. The table below describes the residential mix that is either built or approved in Highbury:

Project Name	Housing Type	Acres	# of Units
Highbury Place	Single Family Homes	27.5	111
Townhomes at Highbury Commons	Townhomes	10.2	102
Highbury Towns	Townhomes	9.6	90
Arbor Square	Townhomes	4.7	64
Liberty Commons	Apartments	11.2	209
Pinnacle at Highbury	Apartments	12.9	290
Future residential approved through a development agreement (Plats B and C)	Townhomes (69), Parkside Homes (89), Single Family (85)	51.0	243
Total		127.1	1,109

To summarize the table above in terms of units, there will be 499 apartments (45%), 325 (29%) townhomes and 285 (26%) single family homes in Highbury based on what has been approved to date. One of the purposes of this application is to provide more single family homes in Highbury.

Development within Highbury has picked up over the last few years. Recent activity has included: new phases in Highbury Place, the sale of property to the school district for a new junior high, the construction of the new elementary school, further development of the Target anchored retail center and the approval of the Pinnacle at Highbury apartments that will be under construction shortly. In the past there have been discussions between the City and SLR about including estate type, larger homes in Highbury. Planning staff, administration and the Council are concerned that with the decreasing amount of land in Highbury, the opportunity to have estate type, larger homes in Highbury will soon be gone.

Staff put together the proposed overlay zone and associated General Plan/zone change application (GPZ-4-2013) for the property described in GPZ-4-2013 to encourage estate type, larger homes to be included in Highbury. However, after discussions between City staff and SLR, both parties agree that additional time is needed to determine the appropriate development and zoning for this property. Hence, staff is requesting that this ordinance amendment and the associated General Plan/zone change be continued to no date certain.

Staff Alternative:

Continuance to no date certain.

Applicant:
West Valley City

Neutral:
Terry Roylance
SLR Representative

Discussion: Steve Pastorik presented the application. Barbara Thomas asked if there have ever been applications continued to no date certain. Steve replied that it has been done before. Commissioner Thomas asked why other continuances are typically two weeks. Steve replied that other applications usually have concerns that need to be resolved which can usually occur within a two week period. Brandon Hill agreed and indicated that if there are concerns that take longer the Planning Commission can specify a date. He stated that since staff and the property owner are unsure when a specific plan can be presented staff is recommending an indefinite continuance to allow enough time to resolve issues. Jack Matheson asked if senior units have been looked at. Terry Roylance, representing the property owner, replied that it has been discussed but nothing has been determined yet. Commissioner Matheson asked when SLR feels a plan for the property can be provided. Mr. Roylance replied that he isn't sure but stated that Suburban Land is working closely with City staff to work on this and find the best possible solution for the area. Commissioner Matheson asked when the park side homes will be built in the subdivision to the south. Mr. Roylance replied that nothing has been constructed and plans are still being designed so he isn't sure. Commissioner Thomas stated that she doesn't like the idea of an indefinite continuance. The Planning Commission discussed various time limits from 6 months to 1 year for the continuance. Steve indicated that there are different committees that SLR must work with so that makes it difficult to specify a time. Mr. Roylance agreed and indicated that he would prefer a longer time period if possible.

Motion: Commissioner Fuller moved for continuance for a year.

Commissioner Thomas seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Chairman Conder	Yes

Unanimous -ZT-5-2013- Continued

GENERAL PLAN/ ZONE CHANGE APPLICATION

GPZ-4-2013

West Valley City

4930 West Lake Park Blvd.

General Plan change from mixed use to light manufacturing north of the Riter Canal and large lot residential from the Riter Canal to Lake Park Blvd.

Zone change from M to R-1-10 south of the Riter Canal and the new Highbury Residential Overlay Zone

97 Acres

West Valley City staff has submitted a General Plan/zone change application for 97 acres located at 4930 West Lake Park Blvd. The current General Plan designation for this area is mixed use. The mixed use designation at this location includes low to medium density residential including senior housing, community uses such as open space and schools, assisted living and possible expanded office uses. The proposed

General Plan change is to light manufacturing north of the Riter Canal and large lot residential (2 to 3 units/acre) from the Riter Canal to Lake Park Blvd.

The property is currently zoned M (manufacturing). The proposed zoning is R-1-10 (single family residential, minimum lot size 10,000 square feet) and the new Highbury Residential Overlay Zone described in application ZT-5-2013 for the property from Lake Park Blvd to the north side of the Riter Canal. The area north of the Riter Canal would remain M. Surrounding zoning includes M to the north, west, east and a portion of the south and R-1-8 for remaining south portion. Surrounding uses include vacant and industrial ground to the north and west, the Stonebridge Golf Course to the east and office and vacant ground approved for residential use to the south.

The reasons for the General Plan change to light manufacturing north of the Riter Canal are listed below:

- Existing or planned industrial uses exist to the north and west.
- Generally speaking, the existing or proposed land use between 7200 West and 4800 West is industrial north of the Riter Canal.
- The Riter Canal creates a buffer between industrial and residential uses.
- Next year, 2400 South, which is on the north side of the subject property, will be extended east and connect with the south 201 frontage road.
- The property is already zoned M.

The reasons for the General Plan change to residential from the Riter Canal to Lake Park Blvd. are listed below:

- The Granite School District acquired the ground to the west for a new junior high school.
- The property to the east is the Stonebridge Golf Course.
- The Riter Canal and waterway along the west side create recreational trail and open space opportunities as has been done in Highbury Place. The Riter Canal also provides a buffer from future industrial uses to the north.
- Generally speaking, the existing or proposed land use between 7200 West and 4800 West is residential or commercial (not industrial) south of the Riter Canal.
- Residential development will eventually be built across the street on the south side of Lake Park Blvd.

The large lot residential General Plan designation and R-1-10 Zone are proposed together with the Highbury Residential Overlay Zone to accomplish the purposes identified in Highbury Residential Overlay Zone. The purpose section of the Overlay states: "The Highbury Residential Overlay Zone is intended to promote an upscale single family residential neighborhood within the larger Highbury development. Housing within Highbury already includes apartments, townhomes and single family homes. The goal of this overlay zone is to encourage a high quality, planned community of single family detached homes with substantial landscaping and open space that is complimentary to yet unique from other housing within Highbury."

Staff put together the proposed General Plan/zone change application and associated ordinance amendment (ZT-5-2013) for the subject property to encourage estate type, larger homes to be included in Highbury and to prevent industrial in an area that is better suited for residential use. However, after discussions between City staff and SLR, both parties agree that additional time is needed to determine the appropriate development and zoning for this property. Hence, staff is requesting that this General Plan/zone change and the associated ordinance amendment be continued to no date certain.

Staff Alternative:

Continuance to no date certain.

Applicant:

West Valley City

Discussion: Steve Pastorik presented the application. The Planning Commission had no further questions or concerns.

Motion: Commissioner Thomas moved for continuance for one year.

Commissioner Garcia seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Garcia	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	Yes
Chairman Conder	Yes

Unanimous -GPZ-4-2013- Continued

ZONE CHANGE APPLICATION

Z-6-2013

Jenkins Oldham Development, LLC

3846 South 5600 West

A to R-1-8 and R-1-4

14.9 acres

This application was continued during the public hearing on September 11th. The motion for continuance was to allow the applicant time to look at different zoning options for the proposed R-1-4 zone change.

Carl Oldham with Jenkins Oldham Development, LLC has requested a zone change on a 14.9 acre parcel at 3846 South 5600 West from A (agriculture, minimum lot size of ½ acre) to R-1-8 (single family residential, minimum lot size 8,000 square feet) and R-1-4 (single family residential, minimum lot size 4,000 square feet). Surrounding zones include R-1-8 to the south and east and A to the north and west. The subject property is surrounded by single family homes to the east and south and largely vacant land to the north and west.

The General Plan Map includes several noteworthy items relating to this property. The Mountain View Corridor will be built several hundred feet to the west of the subject property. Between 3500 South and 4100 South, the only east to west running street planned to cross the Mountain View Corridor is Cilma Dr. The General Plan calls for an extension of Cilma Dr from 5785 West to 5600 West where Cilma would align with Paulette Avenue on the east side of 5600 West. For land use, the General Plan calls for small lot residential (4 to 7 units/acre) south of the extension of Cilma Dr. and low density residential (3 to 4 units/acre) and residential office north of the extension of Cilma Dr. The zones requested comply with the General Plan.

Also addressed in the General Plan are local connecting streets to the north and south of the subject property. These streets were included to provide circulation between neighborhoods and to provide the potential opportunity for left turns onto 5600 West at Cilma Drive once center running bus rapid transit (BRT) is built within the median of 5600 West.

Development Proposal

The original concept plan, which is attached, shows the property being subdivided into 61 lots, resulting in a density of 4.1 units/acre. This concept also includes the extension of Cilma Dr. The R-1-8 portion of the proposal is north of Cilma Dr. and includes 29 lots with an average lot size of 9,132 square feet. The R-1-4 portion of the proposal is south of Cilma Dr. and includes 32 lots with an average lot size of 6,363 square feet. The smallest lot proposed in the R-1-4 portion of the proposal is 5,000 square feet. The original concept plan also includes a stub street to the north and a stub street to the west in addition to the connection to Cilma Dr. No stub street is shown to the south.

The revised concept plan, which is also attached, has six fewer lots (55 total) than the original and was submitted in response to the comments made during the public hearing. The street layout and lots on the north side of Cilma Drive remain the same. The south portion of the project now includes 26 lots with an average lot size of 7,831 square feet. The smallest lot proposed for the south portion is now 6,500 square feet. Based on the latest concept, it appears that all lots would meet the R-1-6 Zone requirements. All but 5 of the lots would meet the R-1-7 Zone requirements.

The Madison Place PUD to the south includes a gated community on the north end. Staff received a phone call from a representative of the homeowner's association and his initial reaction to the application was that they do not want a street connection from the gated community to the north. The same representative indicated that a board meeting would be held before the public hearing so that more formal input could be sought.

The applicant has indicated that he is not interested in a PUD. A street connection to the Madison Place PUD to the south as anticipated in the General Plan seems doubtful at this point. At the time the General Plan map was prepared, small lot residential was included on the south portion of the subject property with the anticipation that the PUD concept could be extended north. In staff's opinion, the small lot residential designation is less appropriate without the PUD. While small lots are possible with a PUD, common area is provided as an offset. With R-1-4 Zoning, the City gets small lots with no amenities.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(l)(x) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(l)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet."

To address the need for a development agreement, the applicant has proposed that all homes be at least 1,600 square feet and meet the minimum number of points required for design features. If the Commission is comfortable with the latest concept for R-1-6 Zoning, staff recommends that the number of points required for design features be increased from 200 points for a rambler and 220 points for all other types of plans to 300 points for all homes.

Staff Alternatives:

- Approval of a zone change to R-1-8 for the entire property subject to a development agreement that includes the standards proposed by the applicant and the following standards:

- Stub streets shall be provided to the north and west as indicated on the concept plan.
 - Cilma Dr. shall be extended through the property as indicated on the concept plan.
- Approval of a zone change to R-1-8 and R-1-6 as proposed by the applicant in the latest concept plan subject to a development agreement that includes the following standards:
 - The minimum house size shall be 1,600 square feet for all homes.
 - The minimum number of points required for design features shall be 300 points for all homes.
 - Stub streets shall be provided to the north and west as indicated on the concept plan.
 - Cilma Dr. shall be extended through the property as indicated on the concept plan.
- Continuance, for reasons determined at the public hearing.
- Denial, R-1-8 Zoning is more appropriate for the entire property.

Applicant:

James Jenkins

4500 S 512 E

Suite 250

Murray, UT 84197

Applicant:

Carl Oldham

4500 S 512 E

Suite 250

Murray, UT 84197

Discussion: Steve Pastorik presented the application. Barbara Thomas clarified that there is no proposed connection directly to the PUD to the south. Steve replied no and stated that a road extension could possibly occur in the future to the west but not directly between neighborhoods. Commissioner Thomas asked what lot sizes are in the PUD. Steve replied that there are 6,000-8,000 square foot lots on the south end as well as 4,000 square feet or smaller on the north end. Commissioner Thomas asked if these small lots are given a community open space as part of the PUD. Steve replied yes.

James Jenkins, representing the applicant, stated that removing 5 lots to provide for R-1-6 zoning hurt the subdivision but provides for nice lots. Commissioner Thomas stated that the area is not ready for development. Mr. Jenkins replied that it is ready but any more cut in the overall lot count would not work. He indicated that he doesn't believe a larger lot subdivision will be possible for the future either and stated that people cannot afford large lots. Commissioner Thomas stated that there is no consistency because there are larger lots to the north, east, and west. Mr. Jenkins replied that the lots to the south are R-1-4 which directly border the R-1-6 properties.

Carl Oldham, representing the applicant, stated that this is a good plan. He indicated that smaller lots in the existing PUD to the south increase in size the more north the subdivision goes. He stated that this is a difficult piece of property since it will be in between 5600 W and the proposed Mountain View Corridor but added that it is in a good location and will be a nice subdivision. Mr. Oldham stated that all lots are above average in size. He indicated that as he gets older he would prefer a smaller lot because it is less to take care of. Mr. Oldham stated that there is a variety of lot sizes in the area for different people and different lifestyles. Commissioner Thomas stated that she lives on a smaller lot and people park their RV's and other toys in the street. Mr. Oldham replied that this is an enforcement issue. He indicated that the market does not demand large lots but added that there will be bigger lots in the north half of the proposed subdivision which will provide for people that do want to purchase toys. Commissioner Thomas stated that West Valley does not have larger lots. She indicated that landscaping doesn't need to be all grass which requires continual maintenance so large properties don't need to be a burden.

Commissioner Thomas stated that she is skeptical about approving an R-1-6 zone because the applicant could come back with the minimum lot size instead of what is being proposed in the current layout. Steve stated that the Planning Commission could limit the number of lots to 55 (as proposed by the applicant in the latest concept plan) in the development agreement. Commissioner Thomas stated that smaller lots don't lend to creativity for a nice subdivision. She stated that people are constantly trying to add onto their homes and because there isn't enough room people will not stay. Commissioner Thomas stated that small lots are seen as starter homes and don't provide a sense of stability in the community. Commissioner Mills stated that this subdivision will replace a beautiful piece of agricultural property. She stated that she would have a difficult time living in this area and indicated that 4,000 square foot lots are too small. Commissioner Mills indicated that this is however a nice area with many desirable destinations nearby and she feels it is important to provide a stable community that will remain in the area for many years.

James Jenkins stated that farm ground is always beautiful but West Valley is a growing City that will continue to experience change. He stated that larger lots will not have a view in this subdivision since it is located between the Mountain View Corridor and 5600 W so it is important to provide nice homes that are affordable and demanded by the market.

Joe Garcia stated that he feels West Valley City has an abundance of small lots and the City should provide for larger, growing families. He indicated that it is important to maintain long term residents who are invested in their community. Jack Matheson stated that he feels the latest concept plan is a good proposal. He indicated that there are a variety of lot sizes being provided for different types of families. Commissioner Matheson stated that the R-1-8 lots average 9300 square feet in the proposed neighborhood. He indicated that most lots in the R-1-6 portion of the property are greater than 7,000 square feet which is plenty of room for people to store toys, sheds, etc. Commissioner Thomas stated that open space must be provided to people for livability. Commissioner Matheson replied that there are many parks in the area that will accommodate recreational opportunities for families. He added that most lots are very decently sized and will have nice homes built on them. Commissioner Thomas stated that she feels the property should be zoned R-1-10. Jack replied that people cannot afford lots that size and that will not work in this area. He added that rezoning everything to 8,000 square feet will eliminate the larger lots provided in the concept plan. Commissioner Thomas disagreed and stated that larger lots are important for the community.

Commissioner Mills asked what the smallest lot size is in the northern portion of the subdivision. Steve replied 8,000 square feet. He indicated that the Planning Commission can place a cap on the number of lots allowed to ensure the average lot size is similar to what is being proposed in the concept plan.

Motion: Commissioner Thomas moved for denial.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Fuller	No
Commissioner Garcia	No
Commissioner Matheson	No
Commissioner Mills	No
Commissioner Thomas	Yes
Chairman Conder	No

Majority –Z-6-2013- Motion Fails

Discussion: Commissioner Thomas asked if walkability will be provided between the proposed subdivision and those that are existing. Steve replied that stub streets will be extended to provide opportunities for road connections that will also have sidewalks for pedestrians.

Motion: Commissioner Matheson moved for approval of a zone change to R-1-8 and R-1-6 as proposed by the applicant in the latest concept plan subject to a development agreement that includes the following standards:

- The minimum house size shall be 1,600 square feet for all homes.
- The minimum number of points required for design features shall be 300 points for all homes.
- Stub streets shall be provided to the north and west as indicated on the concept plan.
- Cilma Dr. shall be extended through the property as indicated on the concept plan.
- A maximum of 55 lots shall be included in the subdivision

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Garcia	No
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Thomas	No
Chairman Conder	Yes

Majority –Z-6-2013- Approved

PLANNING COMISSION BUSINESS

Approval of Minutes from September 4, 2013 (Study Session) **Approved**
Approval of Minutes from September 11, 2013 (Regular Meeting) **Approved**
Approval of Minutes from September 18, 2013 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:00 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant